

5849. Adulteration of oats. U. S. * * * v. 3 Cars and Other Cars of Oats. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8395. I. S. Nos. 1708-p, 8717-p, 8718-p, 8719-p, 8720-p, 8721-p. S. No. E-874.)

On August 8, 1917, August 15, 1917, August 17, 1917, and August 27, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 3 cars and other cars of oats, consigned by the Milwaukee Elevator Co., Minneapolis, Minn., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 9, 1917, July 25, 1917 (2 shipments), and July 24, 1917, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in substance in the libels for the reason that certain substances, to wit, dirt, screenings, weed seeds, etc., had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly and in part for oats.

On August 20, 1917, the said Milwaukee Elevator Co., claimant, having admitted the averments of the libel, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the aggregate sum of \$8,400, in conformity with section 10 of the act, conditioned in part that the product should be cleansed under the supervision of a representative of this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*